

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING
MINUTES

January 15, 2009

Chairman T. Michalski called the meeting to order at 4:08 p.m. and roll was taken.

MEMBERS PRESENT: B. Turnquist, L. Spataro, S. Warmington, T. Michalski, B. Smith,
B. Mazade

MEMBERS ABSENT: J. Aslakson, excused; T. Harryman, excused; B. Larson

STAFF PRESENT: L. Anguilm, D. Leafers

OTHERS PRESENT: J. Hughes, 3279 E. Laketon; B. Hughes, Museum Director, 1076
Wilshire; T. Beute, 3540 Fulton; D. Barns, 3509 Channel Dr; M.
Schneider, Harbour Towne Yacht Club, 3425 Fulton; M. Chabotte,
1618 Palmer Ave; M. Doctor, 3532 Fulton; M. Anderson, 3525
Channel Dr.; S. Johnson, Every Woman's Place, 1221 W. Laketon

ELECTION OF OFFICERS

A motion that the Planning Commission reappoint T. Michalski as Chairman and B. Turnquist as Vice-Chairman was made by S. Warmington, supported by B. Smith and unanimously approved.

APPROVAL OF MINUTES

A motion that the minutes of the regular meeting of December 11, 2008 be approved, was made by S. Warmington, supported by B. Turnquist and unanimously approved.

PUBLIC HEARINGS

Hearing; Case 2009-01: Request to amend a Special Land Use Permit, per Section 1701 (#11) of article XVII (OSR, Open Space Recreation Districts) of the Zoning Ordinance to request a banquet facility be added to the original approval for a museum in an OSR district at 3800 Bluff and 1260 Browne Streets, by John Hughes, Hughes Builders, Inc. The subject property is the location of the Great Lakes Naval Memorial and Museum. Zoning of properties to the northeast of the site is R-1, Single Family Residential, to the south is LR, Lakefront Recreation, and to the west is OSR, Open Space Recreation. A special land use permit to allow a museum at the site was granted by the Planning Commission in September 2005. The site plan was approved by the Planning Commission in October 2006 for construction of a new museum building, which is nearing completion. When the special land use permit was granted, several museum board members were present and spoke to the request. M. Fazakerley stated that "it would be all exhibits and offices". Hughes Builders recently applied for permits for a kitchen and banquet hall. Those permits were denied until this request could be presented to the Planning Commission for approval. Staff's biggest concern is the additional parking that would be required for this use. The original site plan showed 44 parking spaces. The revised site plan

shows an additional 16 spaces. There have been 19 spaces added along the sea wall; however, 3 of those spaces contain light poles, which wouldn't allow a car to park there. This area would also require one-way traffic, and there is not adequate maneuvering space for two way traffic. The banquet hall would require an additional 155 parking spaces. The applicant has a couple of suggestions as to where these extra spaces could come from, but it would be up to the Planning Commission to decide if those alternatives are acceptable. Parking is required to be within 300 feet of the property, and an irrevocable parking agreement must be in place with the owner of the property where the parking is located. One such location involves an unpaved area along the channel wall, which is currently public parking often used by fishermen and others. Another possible alternative suggested by the applicant involved the use of a shuttle service between the nearby Margaret Drake Elliot (Spider) Park. Staff is not sure if the park is within 300 feet as required by the zoning ordinance. Both of these areas are City-owned properties, and open to the public. The park closes at 10 p.m. There are many residences near the site that may be disturbed by noise and traffic if events were held late at night. The Planning Commission may want to impose hours of operation for the banquet hall, if they approve the request. Currently, the property owners haven't complied with the approved site plan. The landscaping is not yet in place and the dumpster is not screened, as shown on the site plan. The Fire, Engineering, and Public Works Departments have no issues with this request. An e-mail received from M. Doctor, 3532 Fulton Ave, expressed concerns regarding noise from music provided at wedding receptions, etc. K. Banstra, 3710 Channel View, phoned to express his concerns with alcohol service on the site. He didn't have a problem with the banquet hall, just the alcohol. He would also prefer that if the use is allowed, it be required to shut down by 10 p.m. E. Otrhalek, 3511 Channel Dr., called to state that she was opposed to the request. R. King and M. Miesch of 3393 Fulton also expressed their opposition to the request. The 1997 Master Plan Future Land Use Map identifies the property as "Public/Quasi Public". Based on compliance with the 1997 Master Plan, staff recommends approval of the request only if adequate additional permanent parking can be provided within 300 feet.

T. Michalski asked staff about alcohol service at the facility. L. Anguilm stated that she was informed that alcohol service would be provided by a local private supplier with a liquor license. B. Turnquist asked if providing food and alcohol would change the status of the museum, since it was currently non-profit. L. Anguilm wasn't sure, but said the applicants could answer that. J. Hughes and B. Hughes were representing the museum. J. Hughes explained the building capacity and parking. S. Warmington disclosed that he was a member of the Silversides board and Harbour Towne Yacht Club but that he would receive no monetary gain from any decision made on this case. B. Hughes stated that he understood the concerns about the capacity and parking, and stated that they would agree to have not more than 200 people at any one event at the museum. L. Anguilm asked what the hours of the museum would be, and if they would overlap with the banquet facility hours, since that could affect parking. B. Hughes stated that they would tailor the museum hours so that it didn't conflict with the banquet facility. They had planned to have banquet functions start at 6:00 p.m. T. Michalski asked about the sleepovers at the Silversides submarine. B. Hughes stated that he didn't think it would cause a conflict or parking problem. B. Mazade stated that the Planning Commission could place conditions on a Special Use Permit, if they approved it, which could limit hours and/or specify parking requirements. B. Hughes stated that, regarding the catered events, they would be willing to close those events at midnight, to minimize disruption to the neighborhood. In addition, they planned to have security on site all night to ensure that there were no noise problems. B. Turnquist asked where the museum was headed, since they were a non-profit organization that now seemed to be getting

into for-profit ventures. B. Hughes stated that they were trying to get museum funding to break even, without relying on public or business contributions. He stated that non-profit organizations were allowed to make a profit, but there were regulations on how they could reinvest the funds. B. Turnquist stated that the parking in the area was full when freighters came through the channel. He was concerned with taking away parking spaces that were used by the public. B. Hughes stated that he did not anticipate the banquet facility using much of that parking area, according to the drawings provided. B. Mazade asked if the proposed layout was adequate if the building capacity was limited to 200 people. L. Anguilm stated that it was.

T. Beute owned 3540 Fulton and was opposed to the request. He was unhappy with the entire project and was concerned about further disruption to the adjacent residential neighborhoods. D. Barns of 3509 Channel Dr. was also opposed to the request. He stated that the museum was supposed to supply a walkway for public access along the channel by their building, and they hadn't done that. He was also opposed to using public space for private functions, and the overflow into the neighborhoods, as he felt that there was not enough parking. He stated that this was a park, and that it should serve as a buffer for the neighborhood. M. Schneider was the Commodore of the Harbour Towne Yacht Club and was opposed to the request. She was concerned about the "bring your own alcohol" events, with the museum not being required to have a liquor license or liability insurance. She also stated that it would create unfair competition for the yacht club, which had been in business for 12-15 years and had to comply with all liquor license rules and regulations. She requested that no alcohol be allowed on the premises if the request for a banquet facility was granted. M. Chabotte was also a representative of the Yacht Club and concurred with M. Schneider's comments. M. Doctor lived nearby and was opposed to the request. She stated that there were already noise issues from the facility and she was concerned that they would get worse if a banquet facility were allowed. M. Anderson lived in the area and was opposed to the request. She felt that it was inappropriate to have events where alcohol was provided when there were children at the facility, such as with the Boy Scout events. T. Beute stated that he was also concerned with the fire pit being removed and there being no room for outdoor recreation for the kids now. B. Mazade stated that the fire pit had been relocated on the site. He also stated that he had heard about possible wedding receptions being held at the facility and asked if any events had been booked yet. B. Hughes stated that they had not booked any, but they had people who had expressed interest in using the facility. B. Mazade asked what precipitated the change from the original plan. J. Hughes stated that the project had cost more than originally anticipated, and having a banquet facility would help offset some of the overhead costs for the building. B. Hughes stated that they were privately funded and did not receive public funds like other museums. T. Michalski asked if there would be a full kitchen on site. J. Hughes stated that they would have only microwave ovens and prep tables. The food would be cooked at an off-site facility then delivered to the museum. T. Michalski asked if there would be "bring your own alcohol" functions. B. Hughes stated that there would not be, and that was one reason they were having a security guard. S. Warmington discussed regulations regarding liquor licenses and stated that he would not be in favor of the request without a state-approved liquor license. He stated that it would be unfair to other businesses. B. Mazade asked if the current plans allowed meetings not related to the museum. L. Anguilm stated that it had not been discussed at the previous meeting, but she believed it would be allowed. B. Smith asked if there were any alternate plans if this request was denied. J. Hughes stated that it was likely that they would not be able to finish the second floor. T. Michalski stated that his concern was evening activities with alcohol. L. Spataro was concerned about the parking and the fact that the museum was surrounded by a residential area.

A motion to close the public hearing was made by L. Spataro, supported by S. Warmington and unanimously approved.

A motion to deny the request to amend the Special Land Use Permit to allow a banquet facility to be added to the original approval for a museum, was made by L. Spataro, supported by B. Turnquist and unanimously approved.

OLD BUSINESS

Hearing; Case 2008-23: Staff-initiated request to rezone the property located at 1221 W. Laketon Avenue from RM-2, Medium Density Multiple Family Residential District to R-1, Single Family Residential District. L. Anguilm stated that this case had been tabled until this month at the September 2008 meeting.

S. Johnson from Every Woman's Place explained the status of their expansion project and fundraising. They still intended to move forward with the project and were actively working on it. She stated that there were no changes planned to the drawings that the Planning Commission had already seen, and LEED certification could be accomplished without the changes that were mentioned at the last meeting. One thing that was holding up the drawings was that different contractors had differing opinions on whether the current structure should be razed. T. Michalski asked what time frame they had in mind. S. Johnson stated that they should be shovel-ready by June.

A motion to table this case until the May 2009 Planning Commission meeting was made by S. Warmington, supported by L. Spataro and unanimously approved.

OTHER

None.

There being no further business, the meeting was adjourned at 5:22 p.m.